



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,860	03/12/2004	Vipul V. Prakash	6747P006	1747
8791 7590 10/18/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER SWEARINGEN, JEFFREY R	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 10/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/799,860

Applicant(s)

PRAKASH, VIPUL V.

Examiner

Jeffrey R. Swearingen

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040607</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 10-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 10-14 are directed to a "machine-accessible medium", which Applicant has defined to include electrical, optical, acoustical or other form of propagated signals. See specification, paragraph 0040. Signals are not statutory subject matter. Applicant should amend the claims to read on a computer-readable storage medium, as defined in specification, paragraph 0038. See Interim Guidelines for Examination of Patent Applications for Statutory Subject Matter, Annex IV. See *In re Nuijten* (Fed. Cir. 2007).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Aronson et al. (US 6,654,787 B1).

5. In regard to claim 1, Aronson disclosed:

extracting URLs from electronic communication; and column 5, lines 50-67

analyzing the URLs extracted to determine whether the electronic communication is of a first predetermined category. Column 5, lines 50-67

6. In regard to claim 2, Aronson disclosed:

extracting the URLs comprises extracting at least one of a hostname, a domain name, a subsection of a domain relative link, and an Internet Protocol (IP) address from the electronic communication. Column 5, lines 59-64

Art Unit: 2145

7. In regard to claims 3, 18, Aronson disclosed:

performing a predetermined operation on the electronic communication if the electronic communication is determined to be of the first predetermined category. Column 4, lines 35-67

8. In regard to claim 4, Aronson disclosed:

*generating one or more signatures based on the URLs extracted; column 5, lines 50-67
selecting one or more of the one or more signatures generated; and column 5, lines 50-*

67

comparing the selected signatures against a plurality of predetermined signatures generated from a plurality of known electronic communications of the first predetermined category. Column 5, lines 50-67; column 6, lines 1-29

9. In regard to claim 5, Aronson disclosed:

using a length of the electronic communication to generate the one or more signatures.

Column 5, lines 50-67

10. In regard to claim 6, Aronson disclosed:

using the extracted URLs as the one or more signatures. Column 5, lines 50-67

11. In regard to claim 7, Aronson disclosed:

generating the one or more signatures based on at least one of a protocol, a hostname, a domain name, a subsection of a domain relative link, and an Internet Protocol (IP) address from the electronic communication. Column 5, lines 50-67

12. In regard to claim 8, Aronson disclosed:

classifying the electronic communication to be of the first predetermined category if one of the selected signatures matches one of the plurality of predetermined signatures. Column 5, lines 50-67; column 6, lines 1-20

13. In regard to claim 9, Aronson disclosed:

the plurality of predetermined signatures is derived from a plurality of electronic documents reported via a collaborative submission mechanism. Column 5, lines 9-20

14. In regard to claim 10, Aronson disclosed:

Art Unit: 2145

generating one or more signatures of electronic communication based on URLs in the electronic communication; and column 5, lines 50-67

determining whether the electronic communication is of a first predetermined category using the one or more signatures generated. Column 5, lines 50-67

15. In regard to claim 11, Aronson disclosed:

selecting one or more of the one or more signatures generated based on a plurality of predetermined criteria; column 5, lines 50-67

comparing the selected signatures against a plurality of predetermined signatures; and column 5, lines 50-67; column 6, lines 1-29

classifying the electronic communication to be of the first predetermined category if one of the selected signatures matches one of the plurality of predetermined signatures. Column 5, lines 50-67; column 6, lines 1-29

16. In regard to claim 12, Aronson disclosed:

selecting a signature if the signature represents a domain that was registered within a predetermined period of time. Column 5, lines 50-67

17. In regard to claim 13, Aronson disclosed:

selecting signatures representing one or more of a protocol, a hostname, a domain name, and a subsection of a domain relative link having a predetermined string of letters.

Column 5, lines 50-67; column 6, lines 44-62

18. In regard to claim 14, Aronson disclosed:

extracting the URLs from the electronic communication. Column 5, lines 50-67

19. In regard to claim 15, Aronson disclosed:

a plurality of databases to store a plurality of predetermined signatures of a plurality of known electronic communications of a first predetermined category; and column 3, lines 1-9;

column 4, lines 45-67; column 5, lines 9-20;

a server, coupled to the plurality of databases, including:

a memory device to store a plurality of instructions; column 2, lines 61-67 and

a processor, coupled to the memory device, to retrieve the plurality of instructions from the memory device and to perform operations in response to the plurality of operations, the operations comprising: column 2, lines 61-67

extracting URLs from electronic communication to generate one or more signatures; and column 5, lines 50-67

comparing one or more of the one or more signatures generated against the plurality of predetermined signatures stored in the plurality of databases to determine whether the electronic communication is of the first predetermined category. Column 5, lines 50-67; column 6, lines 1-29

20. In regard to claim 16, Aronson disclosed:

the URLs comprises at least one of a hostname, a domain name, a subsection of a domain relative link, and an Internet Protocol (IP) address. Column 5, lines 50-67

21. In regard to claim 17, Aronson disclosed:

selecting one or more of the one or more signatures generated based on a plurality of predetermined criteria. Column 5, lines 50-67

22. In regard to claim 19, Aronson disclosed:

a database, coupled to the server, to store a plurality of reports from which the plurality of predetermined signatures are generated. Column 4, lines 45-67; column 5, lines 20-67; column 6, lines 1-29

23. In regard to claim 20, Aronson disclosed:

the plurality of databases are in a remote location from the server. Column 3, lines 1-9

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Denesuk et al. US 6,993,534 B2

Hasegawa US 2006/0031298 A1

Hindle, Richie. "An introduction to the Spambayes project." Linux Journal. March 2003. Vol.

2003, Issue 107, Page 2. Specialized Systems Consultants, Inc.

Art Unit: 2145

Androutsopoulos, Ion et al. "An Experimental Comparison of Naïve Bayesian and Keyword-Based Anti-Spam Filtering with Personal E-mail Messages." SIGIR 2000. July 2000. pp. 160-67. ACM Press.

Cranor, Lorrie Faith et al. "Spam!" Communications of the ACM. August 1998. vol. 41, No. 8, pp. 74-83. ACM Press.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Cardone
Supervisory Patent Examiner
Art Unit 2145

JRS